

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BETTY JEAN MURPHY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:05cv999
	)	
CARNELLA MURPHY ANDREWS,	)	
and HEIR OF ESTATE OF DANIEL	)	
ANDREWS, III	)	
	)	
Defendants.	)	
_____	)	

ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION

On November 29, 2005, Magistrate Judge Wallace W. Dixon filed his Recommendation [Doc. # 3] that this action be dismissed under 28 U.S.C. § 1915(e)(2)(B). On December 1, 2005, the parties were mailed notification of the Recommendation filing. Plaintiff Betty Jean Murphy timely filed an Objection to the Recommendation on December 16, 2005 [Doc. # 6]. Defendants did not file a response.

The Court has reviewed de novo the Recommendation of the Magistrate Judge and adopts that Recommendation. Thus, for the reasons set out in the Recommendation, this action is DISMISSED.

This the 26<sup>th</sup> day of October, 2007.

/s/ N. Carlton Tilley, Jr.  
United States District Judge